

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DARLAN ZACHARIA, *et al*,

*Plaintiffs,*

v.

STRAIGHT PATH COMMUNICATIONS,  
INC., *et al*,

*Defendants.*

Civil Action No. 15-8051

**ORDER**

**John Michael Vazquez, U.S.D.J.**


This matter comes before the Court on Lead Plaintiff Charles Frischer's unopposed amended motion for preliminary approval of settlement, D.E. 77, which the Court has reviewed. Following the Court's review, and for good cause shown,

**IT IS** on the 22nd day of January, 2018

**ORDERED** within ten (10) days, counsel for Lead Plaintiff shall submit the following for the Court's review:

- (1) A copy of the Supplemental Agreement referenced at D.E. 77-4 at 30. The copy may be submitted under seal;
- (2) Confirmation that Lead Plaintiff is not seeking a service award in this case;
- (3) A description of the qualifications of the proposed Claims Administrator and the estimated amount of the "Notice and Administration Costs"; and
- (4) An analysis of Defendants' ability to withstand a greater judgment and Plaintiffs' estimate of the maximum damages that they could recover if Plaintiffs were successful at trial and on appeal, *i.e* the "best possible recovery." The Court realizes that the parties have disclosed the amount of settlement and the attendant risks of litigation (both as to liability and damages). However, the additional information is necessary so that the

Court can perform the necessary analysis of the *Girsh* factors, pursuant to *Girsh v. Jepson*, 521 F.2d 153, 157 (3d Cir. 1975).

  
John Michael Vazquez, U.S.D.J.